

MAY 10 2018

JULIA C. DUDLEY, CLERK
BY: *A. Beeson*
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

IN THE MATTER OF THE SEARCH OF
INFORMATION ASSOCIATED WITH THE
FOLLOWING FACEBOOK INC. USER ID:

100007617184442

Case No. 7:18-mj-064

Filed Under Seal

THAT IS STORED AT PREMISES
CONTROLLED BY FACEBOOK INC.

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT**

I, John L McPhail Jr, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of an application for a search warrant for information associated with the above-captioned Facebook Inc. account (hereinafter the "Subject Account") that is stored at premises owned, maintained, controlled, or operated by Facebook Inc., a social networking company headquartered in Menlo Park, California. The information to be searched is described in the following paragraphs and in Attachment A. This affidavit is made in support of an application for a search warrant under Rule 41 of the Federal Rules of Criminal Procedure, 18 U.S.C. §§ 2703(a), 2703(b)(1)(A), and 2703(c)(1)(A) to require Facebook Inc. to disclose to the government records and other information in its possession, pertaining to the subscriber or customer operating the web sites.

2. I am a Federal Bureau of Investigations (FBI) Task Force Officer (TFO) assigned to the Central Virginia Safe Streets Violent Crimes Task Force. I have been assigned to this task force since January 2016 during which time I have worked on 14 different federal cases. I have been a Roanoke County Police Officer for 23 years and assigned to the Criminal Investigations Division

for 17 years. During this time I have been to over 20 training classes and schools on gangs, narcotics, criminal investigations, and interview and interrogation techniques. I have been assigned as the primary investigator on homicides, rapes, robberies, and other violent crimes since 2000.

3. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other law enforcement sources and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

BACKGROUND INFORMATION: ROLLIN' 30s CRIPS

4. The requested warrant is sought in connection with an investigation by the FBI into two murders and an attempted Hobbs Act robbery committed over the past nine months by suspects who are believed to be members of the affiliated street gang "ROLLIN' 30s ORIGINAL HARLEM CRIPS," also known as the "Dirt Gang" (hereinafter ROLLIN' 30s). The Crips street gang is a well-documented national violent street gang. The Crips are divided into sub-groups, known as "sets," which are expected to assist one another and collaborate with one another on criminal activities. The ROLLIN' 30s Crips is a set within the larger Crips gang which operates nationwide. Consultations with multiple gang investigators as well as Internet research into the Rollin' 30's Crip set has been completed in an effort to understand gang identifiers unique to the Rollin' 30's. The Rollin' 30's Crip set appears to have originated in south Los Angeles. They were also known as the Harlem Godfathers; even though they were originally a West Coast gang, they claim a heritage harking back to Harlem, NY. Denker Park and 39th Street were other subgroups within the original Rollin' 30's Crip set.

5. The existence and structure of the Crips is well documented by law enforcement agencies, and the organization nationally has been the subject of multiple prosecutions for federal

racketeering violations involving drugs and violence. Their members are believed to have committed, and continue to commit, violations of federal criminal statutes including the following:

- a. Title 18, United States Code, Section 1962 (Racketeer Influenced and Corrupt Organizations Act);
- b. Title 18, United States Code, Section 1959 (Violent Crimes in Aid of Racketeering);
- c. Title 18, United States Code, Section 922(g)(1) (Possession of a Firearm by a Convicted Felon);
- d. Title 18, United States Code, Section 924(c) (Use of Firearm in Furtherance of a Crime of Violence);
- e. Title 21, United States Code, Sections 841 and 846 (Conspiracy to Distribute and Possess With Intent to Distribute Controlled Substances);
- f. Title 18, United States Code, Section 1029 (Fraud and related activity in connection with access devices); and
- g. Title 18, United States Code, Section 1951 (Interference with Commerce by threats or violence).

6. As a result of my training and experience, I have the following knowledge concerning violent street gangs generally:

- a. When an ongoing history of violence involving many separate members of the same gang exists, it is not uncommon for the violent members at the central core of the gang to associate with each other, and to plan together aggressive acts and/or acts of violent retaliation to be perpetrated by a few members of this violent central cadre. I have also learned that gang members who use their own firearms in violent crime activities retain access to those firearms.

for protection from retaliation and/or frequently pass those firearms to fellow gang members for safekeeping, in order to prevent the weapons from being seized by law enforcement officers pursuant to a search of their residences, vehicles, or persons.

b. Most members of street gangs are known by street names or monikers to their fellow gang members, and they frequently write their names or monikers of their associates on walls, furniture, miscellaneous items, and/or papers, both within their residences or their vehicles. Additionally, they also utilize these monikers and variations of their gang name to identify themselves on various social media outlets. Given the prevalence of technology and social media in contemporary society, gang members, including members of the Rollin' 30s, are known to routinely use social media as part of their larger gang activities.

c. Most gang members keep photographs and photograph albums, some of which is published on social media, depicting: (1) fellow gang members who are posing and giving hand gang signs that indicate gang identity or affiliation; (2) gang members or associates posing with weapons, particularly firearms that are often used for criminal activities; (3) gang members or associates posing beside vehicles that are occasionally used during the commission of crimes; and (4) gang members or associates posing at locations that are known to be specific gang hangouts.

7. As a result of my training and experience, I have the following knowledge concerning the ROLLIN' 30s:

a. The Roanoke-based ROLLIN' 30s Crips is a criminal street gang with a history of violence operating in Roanoke, VA located within the Western District of Virginia;

b. Independent investigations by law enforcement have revealed ROLLIN' 30s Crips members have committed specific violent crimes including armed robbery, shootings, assaults, and homicides, which acts were conducted in furtherance of the gang enterprise;

c. In addition to their violent criminal activity, the ROLLIN' 30s Crips have generated income from drug trafficking and other criminal activities, in furtherance of the gang enterprise;

d. The ROLLIN' 30s Crips commonly utilize a variety of unifying marks, manners, and identifiers, including "gang sign" hand gestures and tattoos that are specific to the organization. ROLLIN' 30s Crips members often identify themselves by using one hand to form a "C," this is believed to show they are members of a Crips organization. ROLLIN' 30s Crips also use the symbol of two thumbs up resembling an "H" for "Harlem." Several ROLLIN' 30s Crips members have Original Harlem Crips or "OHC" tattooed on their body. ROLLIN' 30s Crips also identify themselves with the color blue, which represents the Crips organization and/or brown which represents the Dirt Gang. The "thumbs up" emoji have been prevalent in a plethora of social media posts by the Rollin' 30's Roanoke members, often accompanied by the handicapped symbol which is the gang's attempt to shorten the word cripple to Crip.

8. The Violent Crimes Task Force in Roanoke began investigating local ROLLIN' 30s Crips gang members in approximately June 2017, after the homicide of 17-year-old N [REDACTED]

N [REDACTED] L [REDACTED]: On June 15, 2017, Roanoke City Police responded to a homicide at 2323 Tuckawana Circle NW, Roanoke, VA 24017. The deceased victim was L [REDACTED], a recent graduate of Patrick Henry High School. L [REDACTED] was shot multiple times. The preliminary investigation has revealed that L [REDACTED] was a member of the Rollin' 30s and his murder related to his ROLLIN' 30s

gang involvement. Among other evidence, L█'s Facebook page showed gang affiliation with the ROLLIN' 30s Crips, and L█ had admitted to his parents that he was a ROLLIN' 30s Crips gang member.

9. FBI Task Force Officer Ryan Brady, who is assigned to the Violent Crimes Task Force at the Roanoke Resident Agency, has been assisting the Roanoke City Police Department in their investigative efforts on this homicide. Interviews with witnesses in the case have resulted in multiple statements about gang violence being conducted by the Rollin' 30s Crips gang set. Rollin' 30s gang turmoil appears to be the primary cause for the homicide. Persons interviewed relating to the homicide have identified SEAN DENZEL GUERRANT as the leader of the Rollin' 30s Crip set, operating from the Lansdowne neighborhood in Roanoke, VA. An interview conducted by Roanoke City Police with L█'s parents revealed that L█ was recruited into this gang while still attending Patrick Henry High School. A review of numerous Roanoke City Police reports further revealed the Rollin' 30s permeation into the local high schools. These police reports included documentation of an assault on L█ by another high school student/gang member due to a lack of adherence by L█ to gang rules. Other interviews have revealed the Rollin' 30s are specifically targeting youth in the local community.

10. GUERRANT is believed to have started the Rollin' 30s/Dirt Gang in the Lansdowne neighborhood of Roanoke City, VA, after serving prison time as a juvenile for his role in a homicide. It is believed by investigators that GUERRANT developed his affiliation with the Rollin' 30s while in prison. GUERRANT has a large gang tattoo on his stomach that he has prominently displayed in one or more Facebook photos. GUERRANT was L█'s "big homie", which is a phrase typically describing the relationship between an established member of the gang and a new recruit. GUERRANT began questioning L█'s loyalty and dedication to the gang after

learning that L█ had been hanging out and staying with members of another local gang, specifically the Bloods, which is the archrival of the Crips. L█ has a cousin in Roanoke who is a known Bloods gang member, and L█ had been staying with his cousin at that time. Consequently, GUERRANT approached another new member of the Rollin' 30s named D█ F█ and GUERRANT issued an order for F█ to kill L█ as a gang initiation task for F█ because L█ had been associating with a rival gang. F█ apparently refused to comply with this order, an act which itself could be considered a severe gang violation. Subsequently, it is believed that L█ began to make overtures to rejoin the ROLLIN' 30s gang, but this would require one or more actions by L█ to atone for his past gang violations. In turn, GUERRANT issued a gang initiation task calling for L█ to kill F█. Consequently, on or about June 15, 2017, L█ and F█ were taken by Rollin' 30s gang members to 2323 Tuckawana Circle NW, Roanoke, VA. According to F█, he fled the area just prior to L█'s homicide and was himself uninjured, in part because L█ signaled to F█ to flee. Ultimately, L█'s body was located in the Tuckawana Circle apartment complex after he was shot multiple times in the back. Several neighbors reported seeing two black men chasing another black man at the time of the shooting.

11. TRAYVONE RAYCRON KASEY and DEMONTE RASHAD MACK have been identified as the likely shooters/suspects in the murder of L█. The third person present at the scene at the time of the murder, according to F█ was CHAUNCEY DION LEVESY. Through interviews, all three have been identified as members of the Rollin' 30s gang. MACK appears to have rank above KASEY but below GUERRANT. On July 20, 2017, MACK was arrested after a vehicle stop by the Roanoke City PD. MACK was accompanied by █ and █ and █ MACK was arrested on charges

not related to the homicide. Investigators attempted to interview all three individuals at the Roanoke City PD. [REDACTED] said very little to investigators, and he then left the police department. Both MACK and [REDACTED] spoke at length, and they did provide information concerning the Rollin' 30s. However, during the subsequent interviews but after [REDACTED] departed, investigators learned that D [REDACTED] F [REDACTED] was shot while they were conducting the interviews. Statements from an uninvolved third-party witness made it appear to have been a failed assassination attempt with multiple individuals involved. However, based on additional information from F [REDACTED], it is currently believed that the attempt on F [REDACTED] was actually performed by a Bloods gang member intended as retaliation in response to L [REDACTED]'s murder (or perhaps some other disagreement between F [REDACTED] and the Bloods gang member who shot him). The larger point is that gang violence in certain neighborhoods in Roanoke is a growing threat.

12. Through the investigation of L [REDACTED]'s murder, Roanoke City Police and the Violent Crimes Task Force learned the following: The ongoing homicide investigation has led investigators to identify multiple potential Rollin' 30s members, and to evaluate the effect that this gang has had on the City of Roanoke. In doing so, criminal histories and prior Roanoke City Police reports for the individuals identified below were reviewed. It was determined that a majority of the individuals listed below have extensive criminal records, to include but not limited to homicide, weapons related offenses, narcotics charges, eluding police, armed robbery, etc. It has become evident from the multiple recent interviews that the Rollin' 30s/Dirt Gang and its members have, as a product of the furtherance of their gang's prosperity and notoriety, had a direct impact on the violent crime rate in the City of Roanoke. This is particularly true for the Northwest portion of the City where the Rollin' 30s/Dirt Gang appear to conduct much of its illegal activities. The homicide

of L█ and recent attempt on F█'s life have demonstrated the violent nature of the Rollin' 30s. The Roanoke City PD believes that the violence of this group/gang will continue to escalate. Recently, some gang paraphernalia, consisting of handwritten notes, were located by local police. The notes had been discarded on the street within the Lansdowne community in Roanoke. The notes appear to be a Rollin' 30s new member manual, which is labeled "Rol3 Call" and outlines the gang's origins in the early 70's. The notes also list their colors as blue and brown, and refer to Harlem, Denker Nine and Ave. 39er. The notes also outline rank and structure in the Rollin' 30s. Upon viewing the Facebook profiles of each of the potential members listed below, numerous pictures featuring Rollin' 30s hand signs, apparel (to include blue bandanas flown on the left side for Crip gang), lingo, drugs, weapons, etc. have been viewed and are indicative of Rollin' 30s involvement /association.

13. Through the investigation of the L█ murder, the Roanoke City Police and the Violent Crimes Task Force have gathered considerable evidence regarding the nature, scope, structure, and activities of the ROLLIN' 30s Crips set which corroborates much of the witness statements cited above. The sources of evidence include the following, as further detailed herein:

- a. Review of social media accounts (some publicly accessible, others obtained by court order) maintained by gang members and associates;
- b. Review of historical criminal activity of gang members and associates, as detailed in police reports and court records;
- c. A handwritten gang-related document recovered in the Lansdowne area by the police after gang members discarded it during a police encounter; and
- d. Physical surveillance.

14. To date, multiple active ROLLIN' 30s Crips members and associates have been identified in the Roanoke area. This organization has a presence in multiple other states and operates from Virginia across state lines, including using interstate communications facilities to discuss gang business, provide payment to incarcerated gang members, and recruit gang members.

Investigation has shown the following individuals to be affiliated with the ROLLIN' 30s:

1. SEAN DENZEL GUERRANT (DOB [REDACTED]/1991, SSAN [REDACTED]-1152, Facebook: Harlem Denk);
2. TRAYVONCE RAYCRON KASEY (DOB [REDACTED]/1998, SSAN unknown, Facebook: Yrn Kasey);
3. DEMONTE RASHAD MACK (DOB [REDACTED]/1989, SSAN [REDACTED]-7643, Facebook: Monte too real sr.);
4. DAVON [REDACTED] (DOB [REDACTED]/1993, SSAN [REDACTED]), (Facebook: [REDACTED]);
5. [REDACTED] (DOB [REDACTED]/1992, SSAN [REDACTED], (Facebook: [REDACTED]));
6. [REDACTED] (DOB [REDACTED]/1981, SSAN [REDACTED]), (Facebook: [REDACTED]);
7. [REDACTED] (DOB [REDACTED]/1998, SSAN unknown, Facebook: [REDACTED]);
8. CHAUNCEY DION LEVESY (DOB [REDACTED]/1994, SSAN [REDACTED]-3232), (Facebook: Cee Guzman);
11. [REDACTED] (DOB [REDACTED]/1992, SSAN [REDACTED]- [REDACTED], Facebook: [REDACTED]);
12. D [REDACTED] F [REDACTED] (DOB [REDACTED]/1996, SSAN [REDACTED], Facebook: D [REDACTED] F [REDACTED]);
13. N [REDACTED] N [REDACTED] L [REDACTED];
14. [REDACTED];
15. [REDACTED];
16. [REDACTED].

15. Based upon the foregoing, there is probable cause to believe the ROLLIN 30s is a criminal enterprise as defined by 18 U.S.C. § 1961(4) and 18 U.S.C. § 1959(b)(2). Based on [REDACTED] [REDACTED] activity as it relates to the ROLLIN' 30s, investigating agents believe [REDACTED] [REDACTED] is utilizing the social media, specifically the Facebook Inc. SUBJECT

ACCOUNT to facilitate communication with ROLLIN' 30s Crips members in furtherance of the organization.

16. On May 8, 2018, FBI TFO McPhail viewed Facebook Inc user ID # 100007617184442 belonging to [REDACTED] which is a publicly available Facebook page. A profile picture of [REDACTED] is used on the Facebook page and the screen name " [REDACTED]" is used (PICTURE #1)

17. On August 18, 2017 Roanoke City Police obtained via search warrant user data from Facebook Inc. user ID number 100002670079743 which was identified as the Facebook Inc. account used by [REDACTED]. Information from Facebook Inc. user ID number 100002670079743 contained data from the date range 03-06-2017 00:00:00 UTC to 07-22-2017 23:59:59 UTC. Upon FBI TFO John McPhail's review of the content of that return photographs with [REDACTED] in them would tend to indicate [REDACTED] involvement in the Rollin' 30s Crip gang. PICTURE #2 (Photo Id: 1267601153338875) was posted on 2017-06-15 17:08:05 UTC and shown on PAGE 87 of the Facebook return. The picture shows [REDACTED] wearing a white tank top, white capri pants, holding a green colored glass bottle and showing "two thumbs up". PICTURE #3 (Photo Id: 1762115540471647) is shown on PAGE 3170 of the Facebook return. The picture shows [REDACTED] [REDACTED] wearing a white tank top, white capri pants, holding a green colored glass bottle and showing "thumbs up" with his left hand.

18. On April 24, 2018 the federal Bureau of Investigation obtained via search warrant user data from Facebook Inc. user ID number 100005549858968 which was identified as the Facebook Inc. account used by [REDACTED]. Information from Facebook Inc. user ID number 100005549858968 contained data from the date range 2017-05-01 00:00:00 UTC to 2018-04-17 23:59:59 UTC. Upon FBI TFO John McPhail's review of the content of that return multiple references in message content would tend to indicate [REDACTED] [REDACTED] involvement in the Rollin' 30s

Crip gang. Upon reviewing the Facebook Inc. data referenced above, two messages were of particular interest.

a. Facebook Business Record PAGE 2945

Author [REDACTED] (100007617184442)
Sent 2018-02-23 02:36:08 UTC
Body Where da Crips at

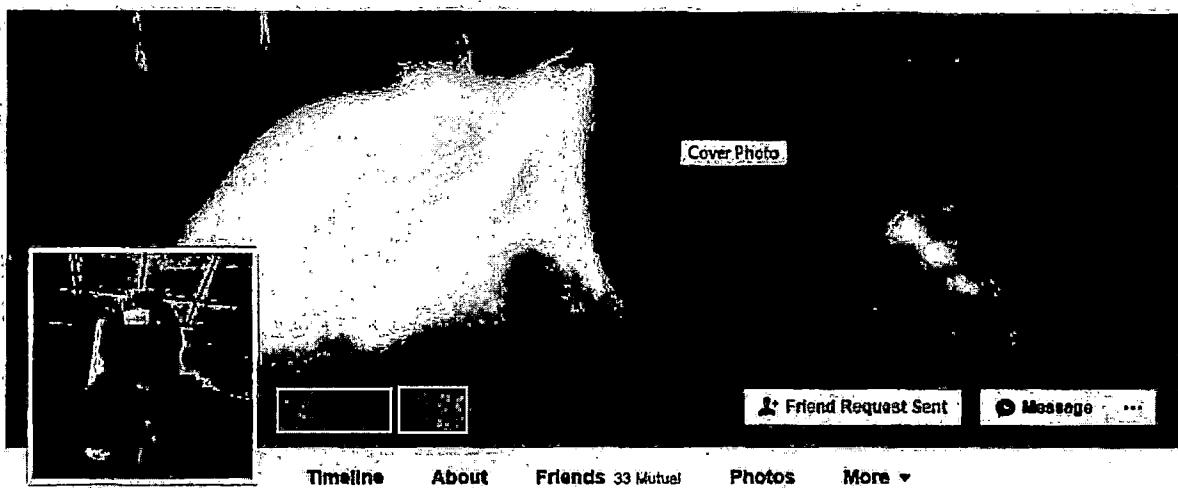
b. Facebook Business Record PAGE 3000

Author [REDACTED] (100007617184442)
Sent 2018-02-20 23:40:36 UTC
Body [REDACTED] created the group.

Author [REDACTED] (100007617184442)
Sent 2018-02-20 23:41:09 UTC
Body [REDACTED] named the group DxXxrt GANG.

Author [REDACTED] (100007617184442)
Sent 2018-02-20 23:46:41 UTC
Body Wes Wes Crips this the [REDACTED] checc in line for errcody please
don't add non Harlem members to this group Erwin need to chop
wit u csap

In the above comments [REDACTED] posts "Where the Crips at" referring to the Crips Gang. [REDACTED] also creates a chat group and names the group "DxXxrt GANG". DxXxrt is a commonly used word to refer to the Crips Rollin 30's Gang.



DO YOU KNOW [REDACTED]

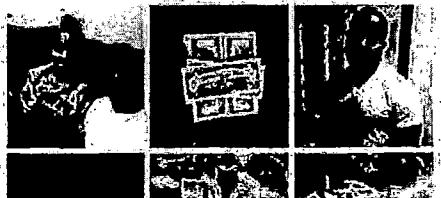
If you know [REDACTED] send him a message.



Intro

- Self-Employed at [REDACTED]
- Studied at Hard Knocks University
- Went to Nun ya bkness
- Lives in Roanoke, Virginia
- Single
- From Roanoke, Virginia

Photos



You the realest i knew n doc an
the realest out here n the field
hands down cuz

PICTURE #1

10/10/2018
10/10/2018



PICTURE #2

12/10/2018



PICTURE #3

TECHNICAL BACKGROUND: FACEBOOK INC.

19. Facebook Inc. owns and operates a free-access social networking website of the same name that can be accessed at <http://www.facebook.com>. Facebook Inc. allows its users to establish accounts with Facebook Inc., and users can then use their accounts to share written news,

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photographs, videos, and other information with other Facebook Inc. users, and sometimes with the general public.

20. Facebook Inc. asks users to provide basic contact and personal identifying information to Facebook Inc., either during the registration process or thereafter. This information may include the user's full name, birth date, gender, contact e-mail addresses, Facebook Inc. passwords, Facebook Inc. security questions and answers (for password retrieval), physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers. Facebook Inc. also assigns a user identification number to each account.

21. Facebook Inc. users can select different levels of privacy for the communications and information associated with their Facebook Inc. accounts. By adjusting these privacy settings, a Facebook Inc. user can make information available only to himself or herself, to particular Facebook Inc. users, to all Facebook Inc. users, or to anyone with access to the Internet, including people who are not Facebook Inc. users. Facebook Inc. accounts also include other account settings that users can adjust to control, for example, the types of notifications they receive from Facebook Inc.

22. Facebook Inc. users may join one or more groups or networks to connect and interact with other users who are members of the same group or network. A Facebook Inc. user can also connect directly with individual Facebook Inc. users by sending each user a "Friend Request." If the recipient of a "Friend Request" accepts the request, then the two users will become "Friends" for purposes of Facebook Inc. and can exchange communications or view information about each other. Each Facebook Inc. user's account includes a list of that user's "Friends" and a "Mini-Feed," which highlights information about the user's "Friends," such as profile changes, upcoming events, and birthdays.

23. Facebook Inc. users can create profiles that include photographs, lists of personal interests, and other information. Facebook Inc. users can also post "status" updates about their whereabouts and actions, as well as links to videos, photographs, articles, and other items available elsewhere on the Internet. Facebook Inc. users can also post information about upcoming "events," such as social occasions, by listing the event's time, location, host, and guest list. A particular user's profile page also includes a "Wall," which is a space where the user and his or her "Friends" can post messages, attachments, and links that will typically be visible to anyone who can view the user's profile.

24. Facebook Inc. allows users to upload photos and videos, which may include any metadata such as location that the user transmitted when s/he uploaded the photo or video. It also provides users the ability to "tag" (i.e., label) other Facebook Inc. users in a photo or video. When a user is tagged in a photo or video, he or she receives a notification of the tag and a link to see the photo or video. For Facebook Inc.'s purposes, the photos and videos associated with a user's account will include all photos and videos uploaded by that user that have not been deleted, as well as all photos and videos uploaded by any user that have that user tagged in them.

25. Facebook Inc. users can exchange private messages on Facebook Inc. with other users. These messages, which are similar to e-mail messages, are sent to the recipient's "Inbox" on Facebook Inc., which also stores copies of messages sent by the recipient, as well as other information. Facebook Inc. users can also post comments on the Facebook Inc. profiles of other users or on their own profiles; such comments are typically associated with a specific posting or item on the profile. In addition, Facebook Inc. has a Chat feature that allows users to send and receive instant messages through Facebook Inc. These chat communications are stored in the chat

history for the account. Facebook Inc. also has a Video Calling feature, and although Facebook Inc. does not record the calls themselves, it does keep records of the date of each call

26. If a Facebook Inc. user does not want to interact with another user on Facebook Inc., the first user can "block" the second user from seeing his or her account.

27. Facebook Inc. has a "like" feature that allows users to give positive feedback or connect to particular pages. Facebook Inc. users can "like" Facebook Inc. posts or updates, as well as webpages or content on third-party (i.e., non-Facebook Inc.) websites. Facebook Inc. users can also become "fans" of particular Facebook Inc. pages.

28. Facebook Inc. has a search function that enables its users to search Facebook Inc. for keywords, usernames, or pages, among other things.

29. Each Facebook Inc. account has an activity log, which is a list of the user's posts and other Facebook Inc. activities from the inception of the account to the present. The activity log includes stories and photos that the user has been tagged in, as well as connections made through the account, such as "liking" a Facebook Inc. page or adding someone as a friend. The activity log is visible to the user but cannot be viewed by people who visit the user's Facebook Inc. page.

30. Facebook Inc. Notes is a blogging feature available to Facebook Inc. users, and it enables users to write and post notes or personal web logs ("blogs"), or to import their blogs from other services, such as Xanga, LiveJournal, and Blogger.

31. The Facebook Inc. Gifts feature allows users to send virtual "gifts" to their friends that appear as icons on the recipient's profile page. Gifts cost money to purchase, and a personalized message can be attached to each gift. Facebook Inc. users can also send each other "pokes," which are free and simply result in a notification to the recipient that he or she has been "poked" by the sender.

32. Facebook Inc. also has a Marketplace feature, which allows users to post free classified ads. Users can post items for sale, housing, jobs, and other items on the Marketplace.

33. In addition to the applications described above, Facebook Inc. also provides its users with access to thousands of other applications on the Facebook Inc. platform. When a Facebook Inc. user accesses or uses one of these applications, an update about that the user's access or use of that application may appear on the user's profile page.

34. Some Facebook Inc. pages are affiliated with groups of users, rather than one individual user. Membership in the group is monitored and regulated by the administrator or head of the group, who can invite new members and reject or accept requests by users to enter. Facebook Inc. can identify all users who are currently registered to a particular group and can identify the administrator and/or creator of the group. Facebook Inc. also assigns a group identification number to each group. Facebook Inc. uses the term "Group Contact Info" to describe the contact information for the group's creator and/or administrator, as well as a PDF of the current status of the group profile page.

35. Facebook Inc. uses the term "Neoprint" to describe an expanded view of a given user profile. The "Neoprint" for a given user can include the following information from the user's profile: profile contact information; Mini-Feed information; status updates; links to videos, photographs, articles, and other items; Notes; Wall postings; friend lists, including the friends' Facebook Inc. user identification numbers; groups and networks of which the user is a member, including the groups' Facebook Inc. group identification numbers; future and past event postings; rejected "Friend" requests; comments; gifts; pokes; tags; and information about the user's access and use of Facebook Inc. applications.

36. Facebook Inc. also retains Internet Protocol ("IP") logs for a given user ID or IP address. These logs may contain information about the actions taken by the user ID or IP address on Facebook Inc., including information about the type of action, the date and time of the action, and the user ID and IP address associated with the action. For example, if a user views a Facebook Inc. profile, that user's IP log would reflect the fact that the user viewed the profile, and would show when and from what IP address the user did so.

37. Social networking providers like Facebook Inc. typically retain additional information about their users' accounts, such as information about the length of service (including start date), the types of service utilized, and the means and source of any payments associated with the service (including any credit card or bank account number). In some cases, Facebook Inc. users may communicate directly with Facebook Inc. about issues relating to their account, such as technical problems, billing inquiries, or complaints from other users. Social networking providers like Facebook Inc. typically retain records about such communications, including records of contacts between the user and the provider's support services, as well records of any actions taken by the provider or user as a result of the communications.

38. Therefore, the computers of Facebook Inc. are likely to contain all the material just described, including stored electronic communications and information concerning subscribers and their use of Facebook Inc., such as account access information, transaction information, and account application.

THE SUBJECT ACCOUNT

39. With its many features described above, Facebook Inc. is in wide use among gang members and associates. In my experience, and that of other law enforcement officers with training and experience in the investigation of violent gangs who have served multiple prior federal search warrants on Facebook Inc. accounts, gang members often use Facebook Inc. for purposes including communicating with other gang members, publicizing and promoting the gang, intimidating rivals, and planning criminal activities. For this reason, gang-related Facebook Inc. accounts typically contain a wealth of evidence relevant to criminal investigations including:

- a. Statements, photographs, and videos containing information on gangs' hierarchy, history, membership, practices, and insignia;
- b. Statements, photographs, and other evidence of racketeering acts including financial fraud, firearm and narcotics trafficking, robberies, shootings and conspiracy to commit murder;
- c. Extensive gang-related communication over Facebook Inc.'s messaging; and
- d. Communication and connections which have led to the identification of previously unknown gang members.

40. Based on my training and experience, and that of other law enforcement officers with training and experience in the investigation of violent gangs who have served multiple prior federal search warrants on Facebook Inc. accounts, your affiant knows that even with a lengthy passage of time or deletion of information from the publically accessible website by the user, Facebook Inc. stores the account holder's communications, including but not limited to, private messages, status updates, links to videos, photographs, notes, wall postings, friend lists, subscriber's full name, birth date, address, telephone numbers, contact e-mail addresses, screen names/profiles,

account/user identification numbers, duration of account, and other personal identifiers going back multiple years. This nonpublic information stored by Facebook Inc. relating to the Subject Accounts is likely to be of significant evidentiary value.

41. In the course of investigating the ROLLIN' 30s CRIPS membership and activities, FBI have identified a number of Facebook Inc. accounts maintained by suspected ROLLIN' 30s CRIPS members and associates. Several of these had their privacy settings adjusted so that content was available to the public.

INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED

42. I anticipate executing this warrant under Rule 41 of the Federal Rules of Criminal Procedure and the Electronic Communications Privacy Act, in particular 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A), by using the warrant to require Facebook Inc. to disclose to the government copies of the records and other information (including the content of communications) particularly described in Section I of Attachment B. Upon receipt of the information described in Section I of Attachment B, government-authorized persons will review that information to locate the items described in Section II of Attachment B.

CONCLUSION

43. Based on my training and experience, and the facts as set forth in this affidavit, there is probable cause to believe that on the computer systems in the control of Facebook Inc. there exists fruits or other evidence of a crime involving violations of Title 18, United States Code, Section 1962 (Racketeering Influenced Corrupt Organizations Act); Title 18, United States Code, Section 1959 (Violent Crimes in Aid of Racketeering); Title 18, United States Code, Section 924(c) (Use of Firearm in Furtherance of a Crime of Violence); Title 18, United State Code, Section 1951 (Interference with Commerce by threats or violence).

44. Accordingly, a search warrant is requested.

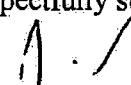
45. This Court has jurisdiction to issue the requested warrant because it is "a court of competent jurisdiction" as defined by 18 U.S.C. § 2711; 18 U.S.C. §§ 2703(a); (b)(1)(A); & (c)(1)(A). Specifically, the Court for the Western District of Virginia is a district court of the United States that has jurisdiction over the offenses being investigated.

46. Pursuant to 18 U.S.C. § 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant.

REQUEST FOR SEALING

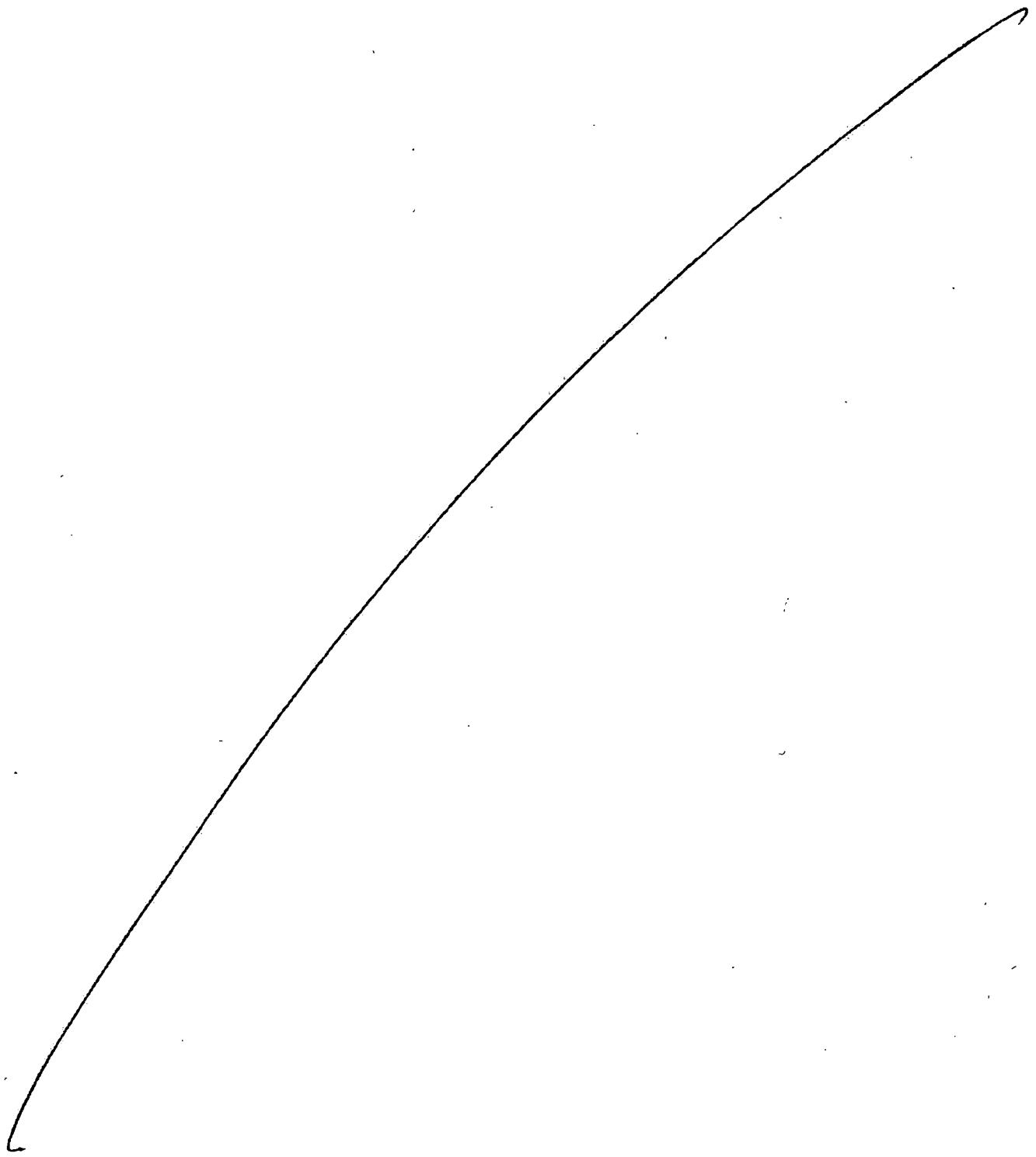
47. It is respectfully requested that this Court issue an order sealing, until further order of the Court, all papers submitted in support of this application, including the application, affidavit, and search warrant. I believe that sealing this document is necessary because the items and information to be seized are relevant to an ongoing investigation into the criminal organizations and not all of the targets of this investigation will be searched at this time. Based upon my training and experience, I have learned that online criminals actively search for criminal affidavits and search warrants via the internet, and disseminate them to other online criminals as they deem appropriate, e.g., by posting them publicly online through the carding forums. Premature disclosure of the contents of this affidavit and related documents may have a significant and negative impact on the continuing investigation and may severely jeopardize its effectiveness.

Respectfully submitted,


John McPhail
FBI TFO

Subscribed and sworn to before me
May 10, 2018


John S. Ballew
UNITED STATES MAGISTRATE JUDGE



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